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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,732	04/26/2005	Marcus Burgel	2002p16720WOUS	6472
7590 10/09/2007				
Siemens Corporation Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830				
			EXAMINER	
			BLACK, LINH	
			ART UNIT	PAPER NUMBER
			2163	
			MAIL DATE	DELIVERY MODE
			10/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/532,732	MARCUS ET AL.	
	Examiner	Art Unit	
	LINH BLACK	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 April 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/26/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 7-14 are pending in the application. Claims 7 and 11 are independent claims.

Claims 1-6 are cancelled.

Drawings

The drawings are objected to under 37 CFR 1.84(o) because they fail to show necessary textual labels of features in Fig. 1 as described in the specification. For example, placing the label, "namespace" with element 1 of fig. 1, or "attributes" with elements 10 and 20 of fig. 1, would give the viewer a clear understanding of the drawing. Please provide all textual labels for elements of figure 1. Also, any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 7-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Belfiore et al. (US 6990513).

As per claims 7 and 11, Belfiore et al. teach

a method for defining structures of object **and/or** data models, wherein schemata describe the structures – col. 3, lines 14-55; col. 13, lines 1-67.

each schema having a namespace, type names, and element names – col. 14, line 54 to col. 15, line 12.

characterizing a schema by assigning a version of the schema to a first attribute of the schema – col. 12, lines 34-54; col. 22, lines 18-37; col. 42, line 65 to col. 66, line 14.

wherein the namespace, type names, and element names of the schema are maintained independently of the version - col. 14, lines 54-65; col. 42, lines 25-64.

wherein types and elements are expanded maintaining the respective type names or element names - col. 12, line 58 to col. 13, line 67; col. 22, line 18-37.

and wherein unexpanded types and elements are accepted unchanged into schemata characterized by a newer version from types and elements used in schemata characterized by an older version – col. 12, line 58 to col. 13, line 67 (core schemas which are a minimal common schema that defines only things that most application will have in common); col. 14, lines 39-48; col. 42, lines 25-64.

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As per claims 8 and 12, Belfiore et al. teach

wherein a calendar date can be assigned via a second attribute to a version of the schema - col. 12, lines 47-54; col. 45, lines 15-18.

As per claims 9-10 and 13-14, Belfiore et al. teach

wherein the schemata are described by an extensible markup language – col. 13, lines 32-41; col. 14, line 49 to col. 15, line 5.

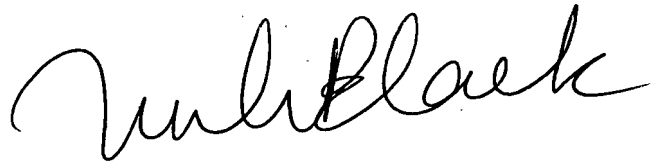
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Linh Black', with a stylized, cursive script.

LINH BLACK
Examiner
Art Unit 2163

September 27, 2007